

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DAVID OHMS,	)
	) No. CV-10-0400-CI
Plaintiff,	)
	) ORDER GRANTING PLAINTIFF'S
v.	) MOTION FOR DISMISSAL WITHOUT
	) PREJUDICE
MICHAEL J. ASTRUE, Commissioner	)
of Social Security,	)
	)
Defendant.	)

BEFORE THE COURT is Plaintiff David Ohms' Motion for dismissal filed June 9, 2011. (ECF No. 11.) Mr. Ohms filed a civil Complaint against the Commissioner of Social Security on November 10, 2010. (ECF No. 1.) Attorney Robert C. Milhem represents Mr. Ohms. Special Assistant United States Attorney David J. Burdett represents the Commissioner. The parties have consented to proceedings before a magistrate judge. (ECF No. 3.) The Commissioner does not object to dismissal. Accordingly, pursuant to FED R. Civ. P. 41(a)(2),

**IT IS ORDERED:**

1. The captioned matter is **DISMISSED WITHOUT PREJUDICE.**
2. The District Court Executive is directed to file this Order and provide a copy to counsel for Plaintiff and Defendant. No judgment shall be entered and the file shall be **CLOSED.**

DATED June 29, 2011.

S/ CYNTHIA IMBROGNO  
UNITED STATES MAGISTRATE JUDGE